

ASSEMBLY BILL

No. 755

Introduced by Assembly Member Brownley

February 26, 2009

An act to amend Section 19050.8 of the Government Code, relating to civil service appointments.

LEGISLATIVE COUNSEL'S DIGEST

AB 755, as introduced, Brownley. Civil service appointments.

Existing law authorizes the State Personnel Board to prescribe rules governing the temporary assignment or loan of employees within an agency or between agencies or between jurisdictions for specified time limits, for the purpose of providing training to employees, enabling an agency to obtain expertise needed to meet a compelling program or management need, or facilitating the return of injured employees to work. Existing law authorizes those temporary assignments or loans to be used to meet minimum requirements for promotional as well as open examinations.

This bill would provide that local educators on loan to a state education agency would not be eligible to use their temporary assignment experiences to meet minimum requirements for promotional or open examinations.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 19050.8 of the Government Code is
2 amended to read:

1 19050.8. The board may prescribe rules governing the
2 temporary assignment or loan of employees within an agency or
3 between agencies for not to exceed two years or between
4 jurisdictions for not to exceed four years for any of the following
5 purposes:

- 6 (a) To provide training to employees.
- 7 (b) To enable an agency to obtain expertise needed to meet a
8 compelling program or management need.
- 9 (c) To facilitate the return of injured employees to work.

10 These temporary assignments or loans shall be deemed to be in
11 accord with this part limiting employees to duties consistent with
12 their class and may be used to meet minimum requirements for
13 promotional as well as open examinations. An employee
14 participating in that arrangement shall have the absolute right to
15 return to his or her former position. Any temporary assignment or
16 loan of an employee made for the purpose specified in subdivision
17 (b) shall be made only with the voluntary consent of the employee.

18 In addition, out-of-class experience obtained in a manner not
19 described in this section may be used to meet minimum
20 requirements for promotional as well as open examinations, only
21 if it was obtained by the employee in good faith and was properly
22 verified under standards prescribed by board rule.

23 For purposes of this section, a temporary assignment or loan
24 between educational agencies or jurisdictions shall be extended
25 for up to two additional years upon a finding by the Superintendent
26 of Public Instruction or the Chancellor of the California
27 Community Colleges, and with the approval of the Executive
28 Officer of the State Personnel Board, that the extension is necessary
29 in order to substantially complete work on an educational
30 improvement project. *Local educators on loan to a state education*
31 *agency shall not be eligible to use their temporary assignment*
32 *experiences to meet minimum requirements for promotional or*
33 *open examinations.* However, the temporary assignment of any
34 local educator who is performing the duties of a nonrepresented
35 classification while on loan to a state education agency may be
36 extended for as many successive two year intervals as necessary
37 by the Superintendent of Public Instruction or the Chancellor of
38 the California Community Colleges with the concurrence of the
39 education agency or jurisdiction. Public and private colleges and

1 universities shall be considered educational agencies or
2 jurisdictions within the meaning of this section.
3 A temporary assignment within an agency or between agencies
4 may be extended by the board for up to two additional years in
5 order for an employee to complete an apprenticeship program.

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